



CANNON BUILDING  
861 SILVER LAKE BLVD., SUITE 203  
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE  
DEPARTMENT OF STATE

TELEPHONE: (302) 744-4500  
FAX: (302) 739-2711  
WEBSITE: WWW.DPR.DELAWARE.GOV

DIVISION OF PROFESSIONAL REGULATION

**PUBLIC MEETING MINUTES: DELAWARE BOARD OF MEDICAL PRACTICE**

**MEETING DATE AND TIME: Tuesday, May 4, 2010 at 2:30 p.m.**

**PLACE: 861 Silver Lake Boulevard  
Second Floor Conference Room A  
Dover, Delaware**

MINUTES APPROVED (June 1, 2010)

MEMBERS PRESENT

Raymond Moore, Public Member, President, Presiding  
Stephen Cooper, M.D., Professional Member, Secretary  
Gregory Adams, M.D., Professional Member  
George Brown, Public Member  
Vance Daniels, Public Member  
Thomas Desperito, M.D., Professional Member 2:34 p.m. - 5:59 p.m.  
Galicano Inguito, M.D., Professional Member 2:34 p.m. - 5:54 p.m.  
Sharon Jones, Public Member  
Sophia Kotliar, M.D., Professional Member  
Vincent Lobo, D.O., Professional Member 2:34 p.m. - 5:48 p.m.  
Karl McIntosh, M.D., Professional Member 2:34 p.m. - 5:48 p.m.  
Anthony Policastro, M.D., Professional Member  
Daryl Sharman, M.D., Professional Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Allison Reardon, Deputy Attorney General  
Gayle MacAfee, Executive Director  
Shauna Slaughter, Administrative Specialist II  
Kay Warren, Deputy Director  
James Collins, Director  
Stacey Stewart, Deputy Attorney General

MEMBERS ABSENT

John Banks, Public Member  
Oluseyi Senu-Oke, M.D., Professional Member, Vice Chairperson

ALSO PRESENT

Lisa Schieffert, Delaware Healthcare Association  
Juli LaBadia, Court Reporter, Wilcox & Fetzer  
Nitin Rao, Medical Society of Delaware  
Anne C. Aldridge, M.D.  
Kenny Cooper, M.D.  
Sidney M. Grobman, D.O.

Marc D. Grobman, D.O.

### CALL TO ORDER

Mr. Moore called the meeting to order at 2:34 p.m.

### REVIEW AND APPROVAL OF MINUTES

The board reviewed the April 6, 2010 Executive Session and meeting minutes for approval. Dr. Policastro moved, seconded by Mr. Brown, to approve the Executive Session and meeting minutes as presented. Motion unanimously carried.

### UNFINISHED BUSINESS

#### Results of Executive Session Discussion

Mr. Brown moved, seconded by Dr. Policastro, that the board after having reviewed the results of the investigations, determined in the exercise of its discretion, that the matters not proceed further and that the following investigations be closed as noted without prosecution in the following cases. Motion unanimously carried.

#### Cases Closed

10-83-09      10-91-09      10-34-10

Mr. Brown moved, seconded by Dr. Policastro, to accept the Consent Agreement on Case number 10-39-09. Motion unanimously carried.

#### Sign Order from Propose to Deny Hearing Held on April 6, 2010 for Anil Kumar Tripathy, M.D.

The board members who attended the hearing affixed their signatures to the Order.

#### Sign Order from Propose to Deny Hearing Held on April 6, 2010 for James Fox Claire, D.O.

The board members who attended the hearing affixed their signatures to the Order.

#### Report on Attendance at the Federation of State Medical Boards' Annual Meeting

Ms. MacAfee provided the board members with a summary of the highlights of the Federation of State Medical Boards' Annual meeting. She also advised the board that the Federation has adopted a policy on maintenance of licensure.

#### Physicians' Health Program – Mr. Collins (2:30 p.m.)

Mr. Collins advised the Board that the Division is looking into using a vendor for all healthcare professionals with impairments. This would include physicians and other licensees who fall under the Board of Medical Practice. He advised that a letter will be mailed to the Physicians' Health Committee to advise them of the Divisions' pending initiatives. A request for proposals will be advertised asking for vendor bids. Mr. Collins also provided the board with an overview of the recommendations that were prepared by Dean Ammons in response to the Bradley investigation.

#### Petition for Emergency Hearing for Temporary Suspension for Case 10-55-10

At 3:20 p.m., Dr. McIntosh moved, seconded by Dr. Desperito, to go into Executive Session to consider the Petition for Emergency Hearing for Temporary Suspension for Case 10-55-10.

Motion unanimously carried. Mr. Brown recused himself from the discussion and vote on this item. At 3:44 p.m., the board came out of Executive Session. Dr. Inguito moved, seconded by Dr. McIntosh, to grant the temporary suspension. Motion did not carry due to not having the affirmative vote of at least seven members. Dr. Cooper, Dr. Lobo, Dr. Kotliar, Dr. Sharman, and Dr. Adams were opposed, and Dr. Policastro abstained.

#### Petition for Emergency Hearing for Temporary Suspension for Case 10-49-10

At 3:48 p.m., Dr. McIntosh moved, seconded by Dr. Desperito, to go into Executive Session to consider the Petition for Emergency Hearing for Temporary Suspension for Case 10-49-10. Motion unanimously carried. At 3:48 p.m., the board came out of Executive Session. Dr. Inguito moved, seconded by Dr. McIntosh, to grant the temporary suspension for Kenny Cooper, M.D. Motion carried with Dr. Policastro, Dr. Kotliar, Dr. Cooper, and Mr. Moore abstaining.

#### Hearing Requested for Suspension to be lifted for Anne C. Aldridge, M.D. (3:00 p.m.)

At 4:15 p.m., Mr. Moore called the hearing to order on the request for suspension to be lifted for Anne C. Aldridge, M.D. The board introduced themselves for the record. Verbatim testimony was taken by the court reporter. Mr. Moore read the purpose of the hearing. The hearing notice, return receipt, and CME certificates were marked as Board Exhibit 1 for the record. Dr. Aldridge had two exhibits marked for the record. Ms. Reardon verified that Dr. Aldridge waived her right to counsel. Dr. Aldridge was sworn in, presented her case, and responded to questions asked by the board members. At 4:38 p.m., the board went off the record to deliberate. At 4:54 p.m., the board went back on the record. Dr. McIntosh moved, seconded by Dr. Desperito, to lift the suspension that was placed on Dr. Aldridge's license as a result of the February 2, 2010 Rule to Show Cause hearing; the CME used to satisfy the 2009 audit cannot be used in the next renewal cycle; and Dr. Aldridge will automatically be audited in the next renewal cycle. Motion carried with Dr. Desperito abstaining. The hearing concluded at 4:56 p.m.

#### Hearing Requested for Suspension to be lifted for Kenny Cooper, M.D. (3:30 p.m.)

The hearing requested for the suspension to be lifted for Dr. Cooper was not held because Dr. Cooper left after the board granted temporary suspension of his license at the hearing held earlier today.

#### Propose to Deny Hearing for Sidney M. Grobman, D.O. (4:00 p.m.)

At 4:58 p.m., Mr. Moore called the proposal to deny hearing to order on the application submitted by Sidney M. Grobman, D.O. The board introduced themselves for the record. Verbatim testimony was taken by the court reporter. Mr. Moore read the purpose of the hearing. The application packet and supporting documents were marked as Board Exhibit 1 for the record. Ms. Reardon verified that Dr. Grobman waived his right to counsel. Dr. Grobman was sworn in, presented his case, and responded to questions asked by the board members. Dr. Grobman's son, Dr. Marc Grobman presented testimony on behalf of Dr. Grobman and answered questions asked by the board. At 5:37 p.m., Dr. McIntosh moved, seconded by Dr. Inguito, to go off the record to deliberate. Motion unanimously carried. At 5:44 p.m., Dr. Lobo moved, seconded by Dr. Cooper, to go back on the record. Motion unanimously carried. Dr. Cooper moved, seconded by Dr. Desperito, to table the application until the next scheduled board meeting for further deliberations. Motion carried with Dr. McIntosh and Dr. Sharman abstaining. The hearing concluded at 5:46 p.m.

#### NEW BUSINESS

#### Review of Applications for Registration and Licensure

Physicians for Licensure – Medical – Dr. Cooper moved, seconded by Mr. Daniels, to approve the following medical doctors for a certificate to practice medicine, and to place Dr. Mary Greene, Dr. James King, Dr. Maura Mahoney, and Dr. Barry White on the list of M.D.'s for licensure, as all applicants had met the licensure requirements as set forth by statute. Motion unanimously carried.

M.D.'s for Licensure

Mohammad Afzal	Ernest Andree	Muhammad Arif	Nouman Asif
Muhammad Athar	Marjan Bahador	Cheryl Clarkin	John Crouch
Bryan Ebert	Mirela Galatanu	Elaina George	Mary Greene
Matthew Hanson	Suhaib Kazmouz	James King	Shimareet Kumar
Maura Mahoney	Solange Margery-Bertoglia	Syed Masood	Chandra Matadeen-Ali
Naim Memon	Justinian Ngaiza	Jason Reutter	Irfan Saeed
Ene Saint-Preux	James Varrell	Barry White	Maria Yee

Physicians for Licensure – Osteopathic – Dr. Cooper moved, seconded by Mr. Brown, to approve the following osteopathic doctors for a certificate to practice medicine, as all applicants had met the licensure requirements as set forth by statute. Motion unanimously carried.

D.O.'s for Licensure

Terrence Goyke	Michelle Litsky	David Roshal	Jason Silversteen
----------------	-----------------	--------------	-------------------

Physician Assistant(s) for Licensure

Dr. Cooper moved, seconded by Mr. Banks, to approve the following physician assistants for licensure as noted below. Motion unanimously carried.

Marilee Brigg	Collette Kuntz	Amanda Moore
---------------	----------------	--------------

Dr. Cooper moved, seconded by Mr. Brown, to approve the following physician assistants for prescriptive authority as noted below. Motion unanimously carried.

Physician Assistants for Prescriptive Authority – Controlled and Non-Controlled

Marilee Brigg	Meghan Logue	Amanda Moore
---------------	--------------	--------------

Physician Assistants for Prescriptive Authority – Non-Controlled

Collette Kuntz

Respiratory Care Practitioners for Licensure

Dr. Inguito moved, seconded by Dr. Cooper, to approve the following Respiratory Care Practitioners for licensure as noted below. Motion unanimously carried.

Peter Allen	Leo DeSanto	Catherine Lynch
-------------	-------------	-----------------

Paramedics

There were no paramedics for licensure.

Acupuncture Practitioners

Dr. Cooper moved, seconded by Dr. Desperito, to approve the following Acupuncture Practitioner for licensure as noted below. Motion unanimously carried.

Denise Demback

Advanced Practice Nurses for Prescriptive Authority

Dr. Inguito moved, seconded by Mr. Brown, to approve the following Advanced Practice Nurses for Prescriptive Authority as noted below. Motion unanimously carried.

Practitioner Specialty Type

Collaborator

Adult Nurse Practitioner

Tracy Lamb

D. Leung, MD.

Family Nurse Practitioner

Caryn Chasanov

C. Apple, MD

Vanessa Harris

L. Durlowsky, DO

Julie Layton

N. Gideon, MD – Beacon Medical Group

Timothy Sowicz

T. Stephens, MD – Westside Family Healthcare

Tina Vincent

R. Aurigemma, MD

Pediatric Clinical Nurse Specialist

Keith Fishlock

S. Kost, MD – A.I.duPont Hospital

PsychMental Health Clinical Nurse Specialist

Guilford Hurst

R. Faust – Horizon House

Women's Health Nurse Practitioner

Candice Carbone

M. Hoffman, MD – CCHS OB/GYN Department

Draft Legislation from Representative Daniel Short – Oversight for Healthcare Work for Hire Contracts

The board reviewed the draft legislation submitted by Representative Short. The board did not believe they would be able to provide an opinion or recommendations without additional information. Dr. Policastro will contact Representative Short for additional information and bring it back to the board at the June meeting.

Review Physician Application from Allen Martin, M.D. – Disciplined in Texas, New Jersey and New York and Denied Licensure in Ohio

The board reviewed the application of Allen Martin, M.D. Dr. Cooper moved, seconded by Mr. Brown, to propose to deny the application pursuant to 24 Del. C. Section 1720(b) (4). Motion unanimously carried.

Review Physician Application from Hillel Wirsztel, M.D. – Placed on Probation during Residency

This item was tabled due to the lack of 12 board members being present.

Review Physician Application from Jason Yonker, M.D. – Consider Waiver for Disqualification

This item was tabled due to the lack of 12 board members being present.

Resignation of Dr. Nasreen Khan – Vacancy on Respiratory Care Practice Advisory Council

Ms. MacAfee advised that Dr. Khan has resigned from the board which also leaves a vacancy on the Respiratory Care Practice Advisory Council. Ms. MacAfee asked that this item be tabled until Dr. Khan's replacement has been appointed.

OTHER BUSINESS BEFORE THE BOARD (For Discussion Only)

There was no other business.

Public Comment

There was no public comment.

Next Meeting

The board will hold their next meeting on Tuesday, June 1, 2010 at 2:30 p.m., in the 2<sup>nd</sup> floor Conference Room "A" of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

Adjournment

There being no further business before the board, Mr. Brown moved, seconded by Dr. Cooper, to adjourn. Motion unanimously carried. The meeting adjourned at 6:04 p.m.

Respectfully submitted,

  
Shauna Slaughter  
Administrative Specialist II